

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMERICAN FEDERATION OF STATE,	:	CIVIL ACTION
COUNTY AND MUNICIPAL EMPLOYEES,	:	
DISTRICT COUNCIL 47 HEALTH AND	:	
WELFARE FUND, et al.	:	
	:	
	:	
vs.	:	
	:	
PURDUE PHARMA L.P. and	:	NO. 07-1968
THE PURDUE FREDERICK COMPANY INC.	:	

ORDER

AND NOW, this 4th day of September, 2007, upon consideration of Defendants' Motion to Transfer, (Doc. No. 7), Plaintiff's response thereto, and Supplement to Defendants' Motion to Transfer this Action to the Southern District of New York, it is hereby **ORDERED** that said Motion is **GRANTED IN PART**. The Court finds that this action is related to an action pending in the United States District Court for the Southern District of New York, New Mexico UFCW Fund v. Purdue Pharma L.Op., Number 07-6916. Accordingly, this action is transferred to that Court "in the interest of justice," 28 U.S.C. § 1404(a).

The Court notes that the Defendants contend that this action is also related to several class actions pending before the Honorable Sidney Stein in connection with the OxyContin antitrust and patent multidistrict litigation. On the other hand, the Plaintiff contends that this action is not related to the antitrust or patent cases, but rather is related to the New Mexico UCFW action, which has been assigned to the Honorable John G. Koeltl. This Court concludes that the determination of the appropriate judicial assignment for this matter should be

made in the first instance by the transferee court in the Southern District of New York.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE